



U. S. Army Corps
of Engineers
Honolulu District

Public Notice

Public Notice No. 200400041

Dated: December 16, 2003

Reply to: U.S. Army Corps of Engineers
Guam Regulatory Branch
PSC 455, Box 188
FPO AP 96540-1088

Respond By: January 15, 2004

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

1. APPLICANT: Kellogg, Brown & Root

APPLICANT'S AGENT: AmOrient Contracting

2. APPLICABLE STATUTORY AUTHORITIES: Section 10, River and Harbor Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

3. LOCATION OF PROPOSED ACTIVITY: Outer Apra Harbor in the vicinity of San Luis Beach

4. DESCRIPTION OF PROPOSED ACTIVITY: The applicant proposes to reconstruct approximately 1,500 linear feet of existing shoreline protection along the access road to San Luis Beach, Out Apra Harbor, Naval Station, Guam. The project would involve the discharge of 6,400 cubic yards of quarried armor stones, bedding material and suitable excavated material below the Ordinary High Water Line. A layer of filter fabric will be placed on the under layer material in order to reduce the likelihood of the finer material being washed out from under the armor stones. A trench will be excavated on the reef flat in order to provide footing for the toe stones removing 1,200 cubic yards of material. Suitable excavated material would be used as fill under the armor stones; unsuitable material will be disposed of at the Navy landfill the back gate to Naval Station

All work would conform to the attached drawings (4 sheets) entitled "San Luis Beach & Access Road Restoration".

5. IMPACTS OF THE PROPOSED ACTION ON THE ENVIRONMENT: The project is not expected to have any impact on the Essential Fish Habitat zone around Guam. The excavation on the reef flat could result in suspension of fine sediments. There are no seagrass beds in the project area. There are live coral colonies on the reef flat in the vicinity of the project site. Indirect impacts to the coral colonies from suspended sediments will be minimized by the use of appropriate silt control structures. Direct impacts to the corals during construction should not occur as the coral are located outside of the footprint of the project area

6. IMPACTS ON CULTURAL RESOURCES: The latest National Register of Historic Places was consulted. No historical or archaeological sites listed on or considered eligible for inclusion on the National Register are located at the proposed project site. The "Pan American Hotel" site is listed and is nearby; however, this site would not be affected. A copy of this notice was sent to the Guam Historic Preservation Office and the U.S. National Park Service for their review and comment in conformance with Section 106, National Historic Preservation Act.

7. IMPACTS ON ENDANGERED SPECIES: The latest list of threatened and endangered species was consulted. Sea turtles are likely found in the off shore area. However, there are no known nesting areas in the project site. Also, the Marianas Common Moorhen has been observed in the wetland that is on the opposite side of the road from where the project would occur. A copy of this notice was sent to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for their review and comment in conformance with Section 7 of the Endangered Species Act.

8. OTHER GOVERNMENT AUTHORIZATIONS: The applicant is required to obtain the following certifications prior to the issuance of the Department of the Army Permit:

a. The Navy, in their Categorical Exclusion, signed December 8, 2003, stated that the activity is located on federal land, which by definition is not included in Guam's coastal zone. The federal agency has assessed the potential of off-site effects, and has determined that the project has No Effects on any coastal use or resource and a negative determination is not required.

b. Section 401 Water Quality Certification from the Guam Environmental Protection Agency.

The Department of the Army permit does not obviate the need for the applicant to obtain other Federal, State or local authorizations required by Federal, State or local laws.

9. EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both the protection and the utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The evaluation will apply the guidelines promulgated by the Administrator, U. S. Environmental Protection Agency, under authority of Section 404(b)(1) of the Clean Water Act.

10. COMMENTS AND INQUIRIES: The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Interested parties may submit in writing any comments that they may have on the proposed activity. Comments should be submitted to this District no later than 30 days from the date of this notice. Written inquiries and comments should be mailed to the address indicated in the letterhead and should make reference to this public notice number.

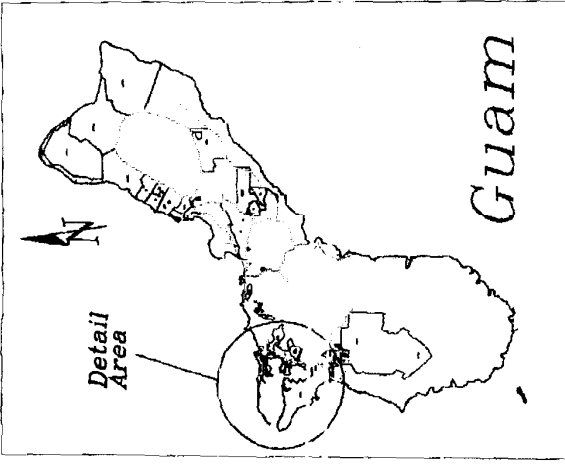
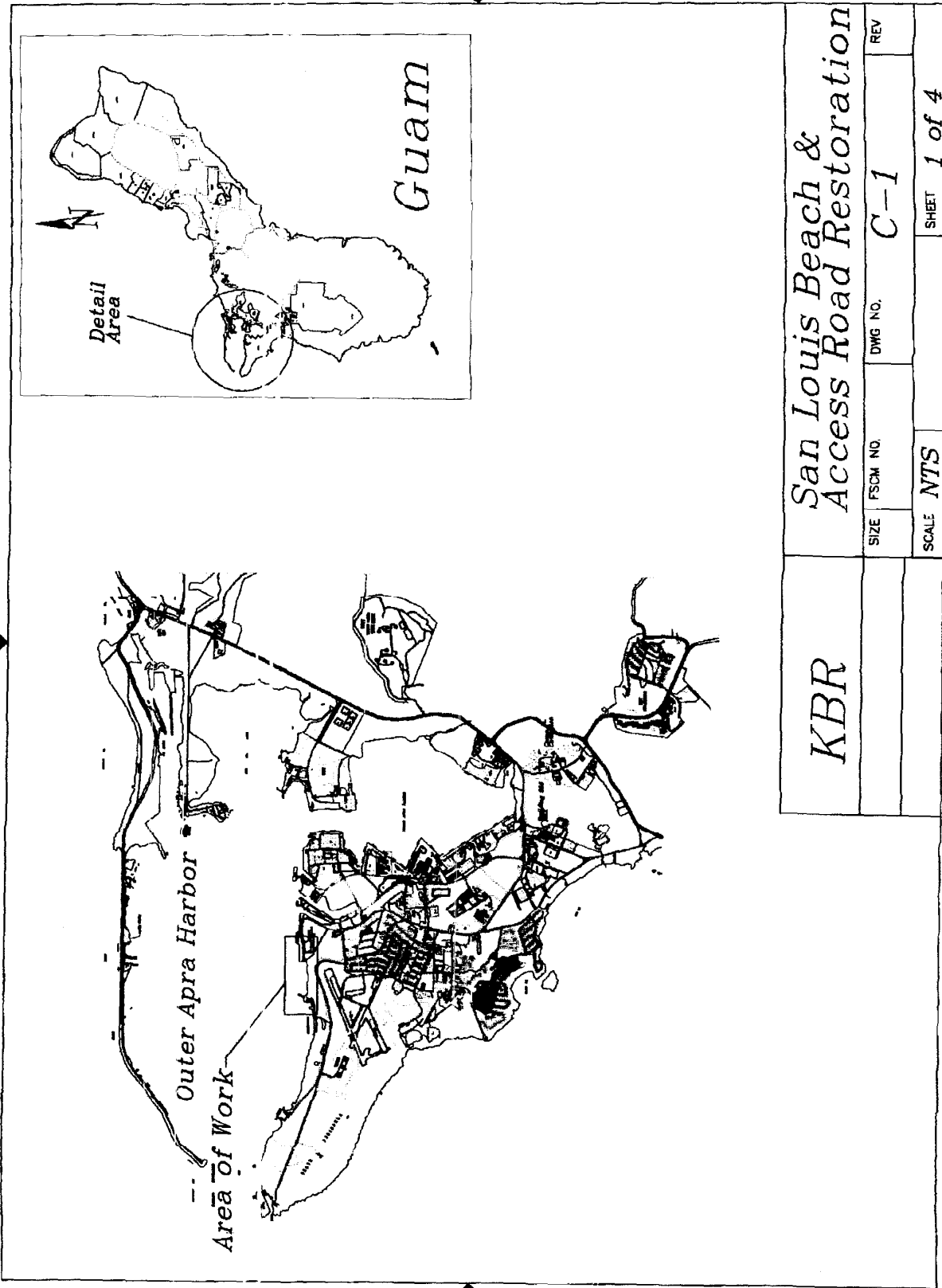
Further information may be obtained from the Guam Regulatory Branch, U.S. Army Corps of Engineers, PSC 455, Box 188, FPO AP 96540-1088 or by telephone (671) 339-2108, by fax at (671) 339-2306 or by e-mail at:

Francis.M.Dayton@usace.army.mil

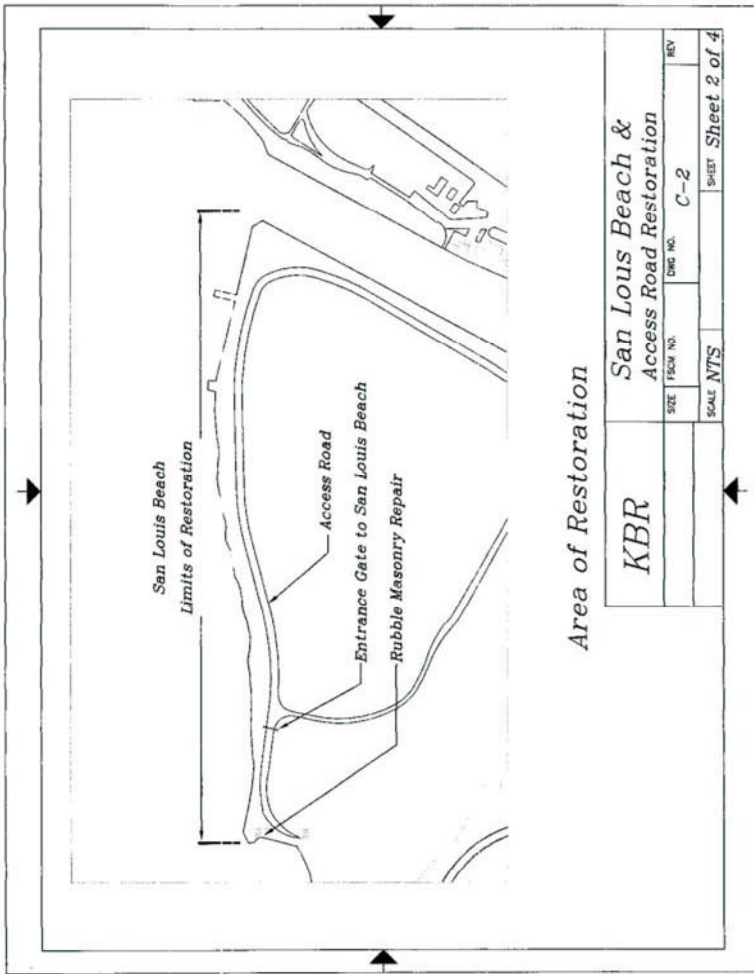
It is Corps of Engineers policy that any objections will be forwarded to the applicant for resolution or rebuttal before a final decision is made on the application. If the objecting party so requests, all personal information will be deleted from the forwarded letter or the objections will be paraphrased in summary form.

11. REQUEST FOR PUBLIC HEARING: Within 30 days from the date of this notice, any person may request, in writing, that the U.S. Army Corps of Engineers, Honolulu District, hold a public hearing to consider this Department of the Army permit application. Requests for public hearings shall state clearly and concisely, the reasons and rationale for wanting to hold a public hearing.

Encl
Drawings (4 sheets)

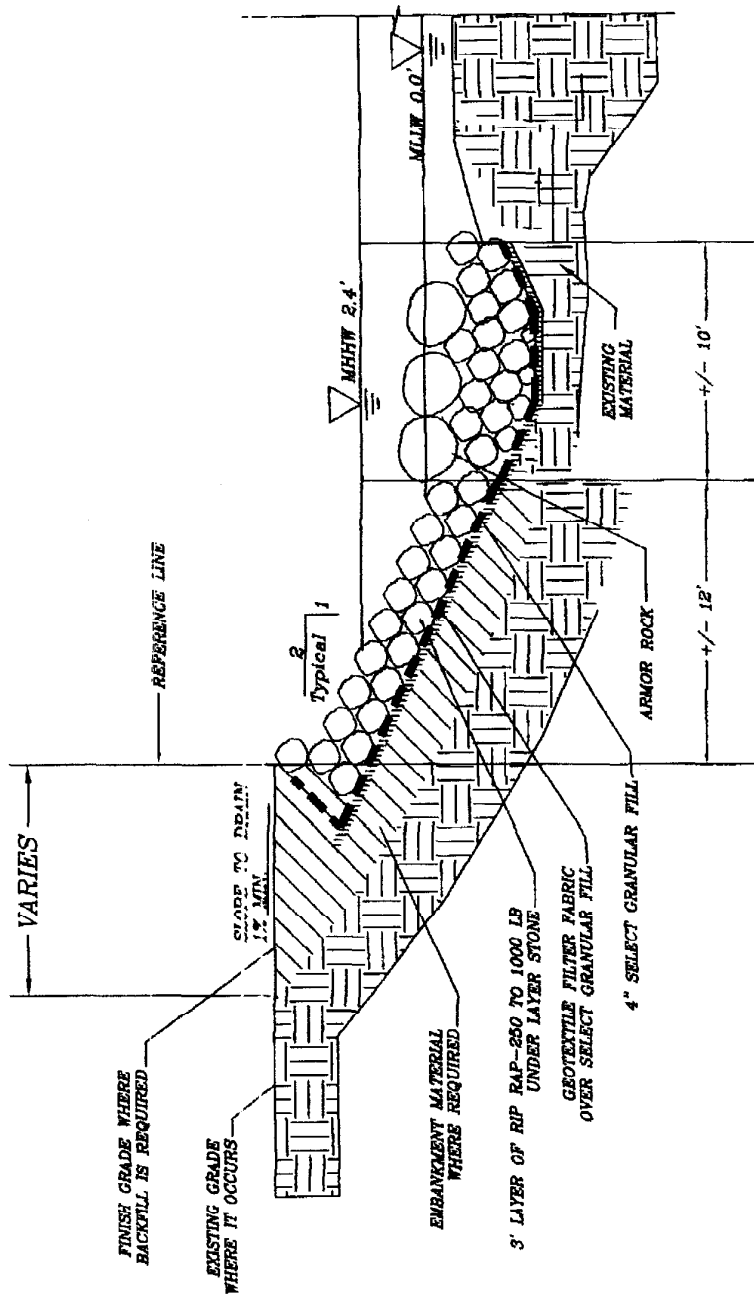


KBR	San Louis Beach & Access Road Restoration			
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			C-1	
SCALE		NTS	SHEET 1 of 4	



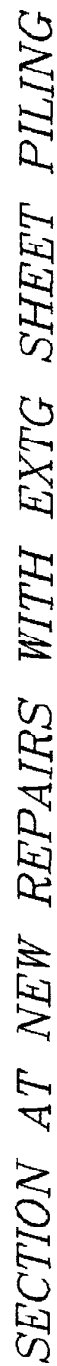
Area of Restoration

KBR		San Louis Beach & Access Road Restoration	
SIZE	1/8" = 1'	DSG NO.	C-2
SCALE	NTS	SHEET	Sheet 2 of 4



SECTION AT NEW REPAIRS WO EXTG SHEET PILE

KBR	San Louis Beach & Access Road Restoration			
	TYPE A	SIZE	FSCM NO.	DWG NO. C-3
		SCALE	NTS	SHEET 3 OF 4



San Louis Beach &
Access Road Restoration

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DWG NO.

C-4

REV

SCALE NTS

SHEET 4 OF 4